

SOUTHERN ARIZONA NECA /IBEW LOCAL 570 DRUG FREE WORKPLACE PROGRAM

Revised January 2019

# Amendments Effective 1/1/2019



## Employer & Employee Handbook

**SOUTHERN ARIZONA NECA AND IBEW LOCAL UNION 570  
DRUG FREE WORKPLACE PROGRAM**

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**Employer/Employee Handbook Amendments**  
**Effective January 1, 2019**

**Overview**

The members of the International Brotherhood of Electrical Workers (IBEW) Local 570, Tucson Electrical Joint Apprenticeship Training Program (TEJATP), Southern Arizona National Electrical Contractors Association (S AZ NECA), and all signatory contractors are committed to a workplace environment which ensures the safety and encourages the personal health and productivity of all employees in our industry. In recognizing and acknowledging that substance abuse in the workplace is a threat to the safety, health, and job performance of all employees, the goal of this Drug Free Workplace Program (DFWP) is to balance respect for individuals with the need to maintain a safe, productive, alcohol and drug-free working environment. This Program has been established by IBEW Local 570 and Southern Arizona NECA, to detect and where required, remove abusers of alcohol and drugs from the workplace. The parties recognize the Employer's right to adopt and implement a drug and alcohol policy subject to all applicable laws and regulations, procedural safeguards, scientific principles, and legitimate interests of privacy and confidentiality, as long as the terms of the Employer's policy are in accordance with the procedures outlined for this DFWP Handbook.

This Program will be governed under the Administrative Procedures negotiated by IBEW Local 570 and S AZ NECA on behalf of all signatory contractors. The DFWP Committee reserves the right to change the Administrative Processes and Procedures. Any amendments to the Program shall become effective upon written notice. The DFWP was originally adopted in July 1, 2004 and amended effective **January 1, 2019**.

The purpose of this Handbook is to convey the DFWP in its entirety to the employers and employees as it relates to alcohol and drug use in the workplace.

The DFWP is committed to eliminating all of the problems associated with employee alcohol and drug abuse, S AZ NECA along with IBEW 570 adopted the DFWP in June 2004 and revised the Program to be dated effective **January 1, 2019**.

This Program applies to all electrical construction company employers who are signatory to the S AZ NECA/IBEW 570 Collective Bargaining Agreement. As employers we have committed to substance abuse testing of all employees. Employers shall adopt this program for non-bargained employees, and the program shall include maintenance, sales, clerical, management, owners and part-time employees working 20 or more hours a week, as well as applicants for any such position. Employers will not be required to utilize the DFWP, provided the Company has a written Drug and Alcohol Policy and Program for all non-bargaining unit employees and provides a copy of the Policy and Program to S AZ NECA and IBEW 570. The Company's Policy and Program must contain the components contained in the DFWP and essentially follow the same requirements of the DFWP. The requirements of an employer to uniformly apply drug and/or alcohol testing policy to all employees can be found in ARS 23-493.04; Section D.

## PART ONE

### S AZ NECA/IBEW 570 DRUG FREE WORKPLACE PROGRAM DEFINITIONS AND PROCEDURES

#### III. DEFINITIONS

##### E. Diluted Samples

A specimen with creatinine and specific gravity values that are lower than expected for human urine.

It is the intent of the program to operate in the guidelines of the federal standards. If a **participant** produces a **negative** diluted sample as determined by the MRO, and the next sample is also diluted, the test results will be accepted as reported. **If the MRO result is reported as a positive dilute sample, the test will be treated as a verified positive, without the need for re-testing.**

##### I. Federal Standards

Regulations issued by the U.S. Department of Transportation in 49 CFR, will be used as guidelines for the collection, testing, and medical review of urine specimens for drugs and the collection and testing of the breath specimen for alcohol. Federal standards are to be applied in all drug and alcohol testing required by the DFWP.

##### J. Health Maintenance Check

Means a payment issued to a bargained employee, who is a covered participant and who has submitted to a required substance test (pre-employment or random), at a designated lab facility **while not "on duty"** and received a negative result. The payment shall be equal to the amount of one (1) hours pay (excluding all fringe benefits) at the minimum hourly pay rate for Journeyman Wireman and shall not be considered wages.

##### U. Direct Observations Procedures

**As per Definition I. Federal Standards (above) – the U.S. Department of Transportation 49 CFR will be used as guidelines for this program and the following Direct Observation Procedures will be adhered to as it relates to Direct Observation Procedures under the DFWP.**

#### V. EFFECTIVE DATES

The effective date of the S AZ NECA/IBEW LU 570 Drug Free Workplace Program was July 1, 2004 and revised **January 1, 2019.**

#### VII. PROGRAM COMPLIANCE CONFIRMATION PROCEDURES (PCC)

No Employee covered by collective bargaining shall be employed by a participating Employer without PCC except as allowed within the guidelines of this policy. Violation of any provision of the DFWP shall invalidate an Employee's PCC.

##### A. Drug and Alcohol Testing Categories

Employees will be tested for drugs in the following categories:

Pre-employment (**oral fluid test**)

Systematic computer selected Random testing (**oral fluid test**)

Post-Accident / Incident Category Triggering Event / **Reasonable Suspicion (urine test)**

Follow-Up / Return to Work / MRO Requested (**urine test**)

Program Compliance Confirmation (PCC) (**oral fluid test**)

For Post-Accident, Incident Category Triggering Event **or Reasonable Suspicion** testing, breath testing for ethyl alcohol will also be conducted in addition to the collection of a urine sample.

2. Random. Each month, individuals who are subject to random testing are selected by a third-party administrator for drug testing from a pool of all eligible Employees. The pool will be updated each month.

Employers are notified by secure fax or email during the month for any of their current employees who have been selected for such testing. Both the Employer and TEJATP are notified of selected, employed apprentices.

Once notified, Employers will be asked to schedule the selected Employee for a specimen collection. Employees are not to be contacted at home to be notified to appear for a random test. If the employer uses on-site/mobile collection, **the employee will report immediately for oral fluid testing.**

In the event, on-site/mobile collection is not utilized, the Employer will fax or email notification to the Program Administrator and will notify Employee immediately of their need to go to a designated lab site within 24 hours. Individual Employer notifications will be spread throughout the month to ensure unpredictability for Employees. For that same reason, some Employers may be contacted more than one time in the month for Employee random testing.

If the Employee is unable to be contacted in a timely manner (i.e., no longer working for the Employer, an illness likely to last more than three days, or a scheduled vacation), the Employer will fax or email the Program Administrator of the status and the Employee will be dropped from that month's selections. If the Employee is no longer with the Employer, IBEW 570 will be contacted to obtain the name of their current Employer, and the notification process will continue.

If an Employee is on vacation, the Employer may schedule the Employee for a test upon return to work. If the Employee is notified of the random test, the Employer must notify the Program Administrator at the time of the Employee notification.

If an Employee fails to provide a sample in accordance with their notification, the Employee's PCC will be voided and the DER will be notified by secure fax or email and by telephone that the Employee is no longer compliant.

Employees are subject to being tested randomly each year at a minimum rate of one hundred thirty percent (130%), or as modified by mutual agreement between S AZ NECA and the IBEW 570. It is possible for an Employee to be tested more than one time each year under the random selection procedure.

3. Post-Accident / Incident Category Triggering Event / Reasonable Suspicion. Every attempt will be made to test an Employee within two (2) hours of a Post-Accident/Incident Category Triggering Event/**Reasonable Suspicion**. If unable to do so, the Employer should make a note of the reason and test the Employee as soon as practical. In addition to the collection of a urine sample to test for substances, breath testing for ethyl alcohol will also be conducted.

If an employee is taken to a hospital, all of the collected samples will be sent to the contracted lab to be included in the DFWP. The employee is not eligible for a health maintenance check for Post-Accident, Incident Category Triggering Event **or Reasonable Suspicion** testing, provided the testing is done while the employee is on duty.

**In the event a participant displays unusual behavior, erratic outbursts, or shows physical signs of drug or alcohol abuse, participant will be subject to an immediate drug and blood alcohol test to ensure the safety of others. The need for such tests to be determined by personnel who have completed and continue ongoing substance abuse awareness training.**

### **B. Drug Testing Protocols**

Specimens will be collected from Employees utilizing standardized procedures, which ensure both individual privacy for the donor (unless an attempt is made to alter, substitute, or adulterate a sample) and proper chain-of-custody of the sample until it is sealed, **initialed** and transported to the laboratory. Collection procedures will be consistent with Federal Standards for collection. However, a non-federal Custody and Control Form must be used to collect the specimen. Employees caught attempting to alter, substitute, or adulterate their specimen will have a second sample collected immediately.

The laboratory utilized in the S AZ NECA/IBEW 570 DFWP must be certified by the Department of Health and Human Services/Substance Abuse and Mental Health Services Administration (DHHS/SAMHSA) National Laboratory Certification Program. Samples must be screened by an approved immunoassay and presumptively positive specimens must be confirmed by gas chromatography/mass spectrometry (GC/MS). Ten drug groups will be tested for: cannabinoids, cocaine, the amphetamines, the opiates, phencyclidine (PCP), barbiturates, benzodiazepines, methadone, and the MDMA's.

Cutoffs in the S AZ NECA/IBEW 570 DFWP are intended to be linked to the cutoffs established by the Department of Health and Human Services for federally regulated testing. Therefore, these Program cutoffs (but not the drugs being tested) may be modified from time to time with notification to Employees if the federal rules are amended. The S AZ NECA/IBEW 570 DFWP Committee may, from time to time, add a new substance and appropriate cut off level or delete an old substance and its cut off level. All employees, covered under the DFWP, will be notified at least sixty days prior to the change being initiated.

All test results, both negative and positive, shall be forwarded to the Medical Review Officer (MRO) who will verify all results and initiate PCC. MRO duties will be conducted in accordance with Federal Standards.

All confirmed drug positive donors must be given the opportunity to provide to the MRO any legitimate medical reason(s) they wish to offer for the positive test. The positive donor must contact the MRO within 48 hours of the first contact by the MRO. If the MRO is unable to speak with the positive donor, the result will be released as a "positive-no contact". If the MRO's determination is that there is a legitimate, verifiable medical explanation for the positive, the result will be treated as equivalent to a negative laboratory test for PCC purposes. If not, it will be considered a verified positive result. **Use of another person's medication or an invalid prescription (out of date/expired) will not be an acceptable reason and will be considered a verified positive.**

The MRO will advise the program administrator of all negative tests. A health maintenance check will be issued for negative tests to bargained employees who have tested at a designated lab facility, except for those tests performed Post-Accident/Incident Category Triggering Event, Follow-Up, Return to Work, MRO Requested or performed as part of the EAP requirements.

## PART TWO

### THE S AZ NECA/IBEW 570 DRUG FREE WORKPLACE PROGRAM DRUG AND ALCOHOL POLICY FOR THE ELECTRICAL CONSTRUCTION INDUSTRY

#### V. Presence in Any Required Test of Illicit Drugs, Unauthorized Controlled Substances or Ethyl Alcohol

The presence of illicit drugs or unauthorized controlled substances in a required test, or the presence of ethyl alcohol equivalent to .04% BRAC or above in a required breath test, will result in administrative action up to and including termination. The presence of alcohol equivalent to .02% to .039% BRAC in any Employee test regulated by the DOT will result in that individual being relieved from safety-sensitive duties for at least eight (8) hours or one work shift, whichever is longer.

The presence of the metabolites of medical marijuana authorized by state law, alone, will not result in administrative action except per Company Policy and as required by federal law or authorized by state law. Individuals who hold commercial driver's licenses as a requirement for their jobs may not have metabolites of medical marijuana in their urine or other bodily fluids while on duty.

#### VI. Testing Requirements

Employees participating in the S AZ NECA/IBEW 570 DFWP must provide a specimen for Pre-Employment, Random, Post Accident/Incident Triggering Category Event/**Reasonable Suspicion**, Follow-Up, Return to Work and MRO Requested testing. Employees not subject to collective bargaining will also be required to be subject to testing, except as prohibited by law. All Employees must additionally provide a breath alcohol test for Post-Accident/Incident Category Triggering Event/**Reasonable Suspicion** testing.

Employees who also fall under the DOT regulations found in 49 CFR must provide urine specimens in accordance with those rules for Pre-Employment, Reasonable Suspicion (if drugs are suspected), Post-Accident/Incident Category Triggering Event, Random, Return to Work, and Follow-up testing under those regulations. They must also provide a breath alcohol test for Reasonable Suspicion (if alcohol is suspected), Post-Accident, and Random testing under those regulations.

Urine **and oral fluid** samples will be tested for the following drug categories: cannabinoids, cocaine, the amphetamines, the opiates, phencyclidine (PCP), barbiturates, benzodiazepines, methadone, and the **methamphetamines**.

Refusal to take a required drug or alcohol test, or attempting to adulterate, alter, or substitute a specimen, will result in administrative action up to and including termination by the Employer. **Direct Observation of a participant will be conducted under the following circumstances:**

- **Participant attempts to tamper with their specimen at the collection site.**
- **Specimen temperature is outside acceptable range**
- **Specimen shows signs of tampering, such as unusual color/odor/characteristic**
- **Collector finds an item in participant's possession, which appears to be for the purpose of contaminating a specimen or collector notes on chain of custody suggest tampering**
- **The test is a Follow-Up test or a Return-to-Duty test**
- **The Medical Review Officer (MRO) recommends direct observation due to any of the following:**
  - **Participant has no legitimate medical reason for certain atypical laboratory results**
  - **A test result is returned as "cancelled" from the lab**

## **VII. Testing Protocols**

All Employees falling under the S AZ NECA/IBEW 570 DFWP or under FHWA or other DOT regulations will be tested consistent with this program or for federally mandated testing, applicable federal regulations.

Specimens shall be collected under strict chain-of-custody procedures and tested at a laboratory certified by the DEPARTMENT of Health and Human Services/Substance Abuse and Mental Health Services Administration (DHHS/SAMHSA). All positive specimens must have been confirmed by gas chromatography/mass spectrometry (GC/MS). All test results will be forwarded to a qualified Medical Review Officer (MRO) for verification.

Breath specimens shall be obtained under strict chain-of-custody procedures by a federally qualified collector.

Breath specimens must be confirmed on an evidential-level breath-testing device qualified for DOT testing by the National Highway Transportation Safety Administration (NHTSA).

**All urine tests will be split specimen collections. The urine collected will be divided into two specimen bottles labeled "A" and "B" accordingly.**

**For all oral fluid tests, one Intercept Device will be utilized to obtain one oral fluid specimen.**

**In the case of a non-negative test result, if the validity is questioned by the participant, a re-test of the specimen must be requested in writing. For all urine tests, the split sample "B" will be utilized for result verification. For all oral fluid tests, the remaining oral fluids in the Intercept Device will be utilized for result verification. If there is not enough remaining oral fluids in the original specimen for this validation, a urine re-test will then be conducted following the Direct Observation Procedures set forth in this handbook within 24 hours of the test result.**

**Payment of the re-test of either urine or oral fluid split samples will be paid for by the participant. If the result is negative, the Drug Free Workplace Program will reimburse participant for cost of re-test.**

# ATTACHMENT “A-1”

## Urine Specimens

As of **January 1, 2019**, the drug testing cutoff concentrations employed in the S AZ NECA/IBEW 570 DFWP are as follows **for urine specimens**:

Drug Class	Drugs Detected	Screening Cut-Off	Confirmation Cut-Off
Amphetamines	Amphetamine	500 ng/ml	250 ng/ml
<b>Methamphetamine</b>	<b>Methamphetamine</b> Methylenedioxyamphetamine (MDMA) Methylenedioxyamphetamine (MDA) Methylenedioxyethylamphetamine (MDEA)	500 ng/ml	250 ng/ml
Barbiturates	Amobarbital Butalbital Pentobarbital Phenobarbital Secobarbital	300 ng/ml	200 ng/ml
Benzodiazepines	Alprazolam metabolite Clonazepam metabolite Diazepam Flunitrazepam metabolite Flurazepam metabolite Lorazepam Midazolam metabolite Nordiazepam Oxazepam Temazepam Triazolam metabolite	300 ng/ml	200 ng/ml
Cannabinoids	Marijuana ( <b>THC</b> ) Metabolites	50 ng/ml	15 ng/ml
Cocaine	<b>Cocaine</b> Benzoylecgonine	150 ng/ml	100 ng/ml
Methadone	Methadone	300 ng/ml	200 ng/ml
Opiates	Codeine Morphine Heroin (6-AM)	2000 ng/ml  10 ng/ml	2000 ng/ml  10 ng/ml
<b>Oxycodone</b>	<b>Oxycodones (Oxycontin, Percodan/Percocet)</b>	<b>100 ng/ml</b>	<b>100 ng/ml</b>
Phencyclidine	Phencyclidine ( <b>PCP</b> )	25 ng/ml	25 ng/ml
Alcohol		.040 BRAC	

Drugs are screened by EMIT (enzyme immunoassay) and confirmed by Gas Chromatography/Mass Spectrometry (GC/MS).

# ATTACHMENT “A-2”

## Oral Fluid Specimens

As of January 1, 2019, the drug testing cutoff concentrations employed in the S AZ NECA/IBEW 570 DFWP are as follows for oral fluid specimens:

Drug Class	Drugs Detected	Screening Cut-Off	Confirmation Cut-Off
Amphetamines	Adderall	100 ng/ml	50 ng/ml
	Benzedrine		50 ng/ml
	Dexedrine		50 ng/ml
	Vyvanse		
Methamphetamines	Methamphetamines	40 ng/ml	
	Methylenedioxymethamphetamine (MDMA)		50 ng/ml
	Methylenedioxyamphetamine (MDA)		50 ng/ml
	Methylenedioxyethylamphetamine (MDEA)		50 ng/ml
Barbiturates	Amobarbital	20 ng/ml	60 ng/ml
	Butalbital (Fioricet, Fiorinal)		60 ng/ml
	Pentobarbital (Nembutal)		60 ng/ml
	Phenobarbital (Luminal)		60 ng/ml
	Secobarbital (Seconal)		60 ng/ml
Benzodiazepines	Alprazolam	1 ng/ml	5 ng/ml
	Diazepam		5 ng/ml
	Nordiazepam (Valium)		5 ng/ml
Cannabinoids	Marijuana (THC)	1 ng/ml	5 ng/ml
Cocaine	Cocaine	5 ng/ml	8 ng/ml
	Benzoylcegonine		8 ng/ml
Methadone	Methadone	5 ng/ml	15 ng/ml
Opiates	Codeine	10 ng/ml	40 ng/ml
	Morphine		40 ng/ml
	Hydrocodone (Vicodin, Lortab/Lorcet)		40 ng/ml
	Heroin (6-AM)		4 ng/ml
Oxycodone	Oxycodones (Oxycontin, Percodan/Percocet)	10 ng/ml	40 ng/ml
Phencyclidine	Phencyclidine (PCP)	1 ng/ml	10 ng/ml

# ATTACHMENT “B”

## S AZ NECA/IBEW 570 Drug Free Workplace Program

### Approved Collection Sites

#### Priority One Drug Testing (Preferred Location)

904 W Grant Rd. Tucson, AZ 85705

Drug Screen: M-F 8:00 am-12:00 pm & 12:30 pm-5:00 pm -Sat collection call for appt (520) 343-8391

Oral fluids test available at Priority One Drug Testing. Urine specimens only for all other labs.

#### Sonora Quest Labs Collection Sites

6565 E Carondelet Dr, Ste. 255A

Tucson, AZ 85710-2157

Drug Screen: M-F 7:00 am-4:30 pm

6130 N La Cholla Blvd., Building B Ste. 205

Tucson, AZ 85741-3557

Drug Screen: M-F 6:00 am-2:30 pm

1773 W Saint Marys Rd., Ste. C101

Tucson, AZ 85745-2654

Drug Screen: M-F 7:00 am-3:00 pm

7388 N la Cholla Blvd # 46

Tucson, AZ 85741-2305

Drug Screen: M-F 8:00 am-4:30 pm

1151 S LA CANADA DR. STE 206

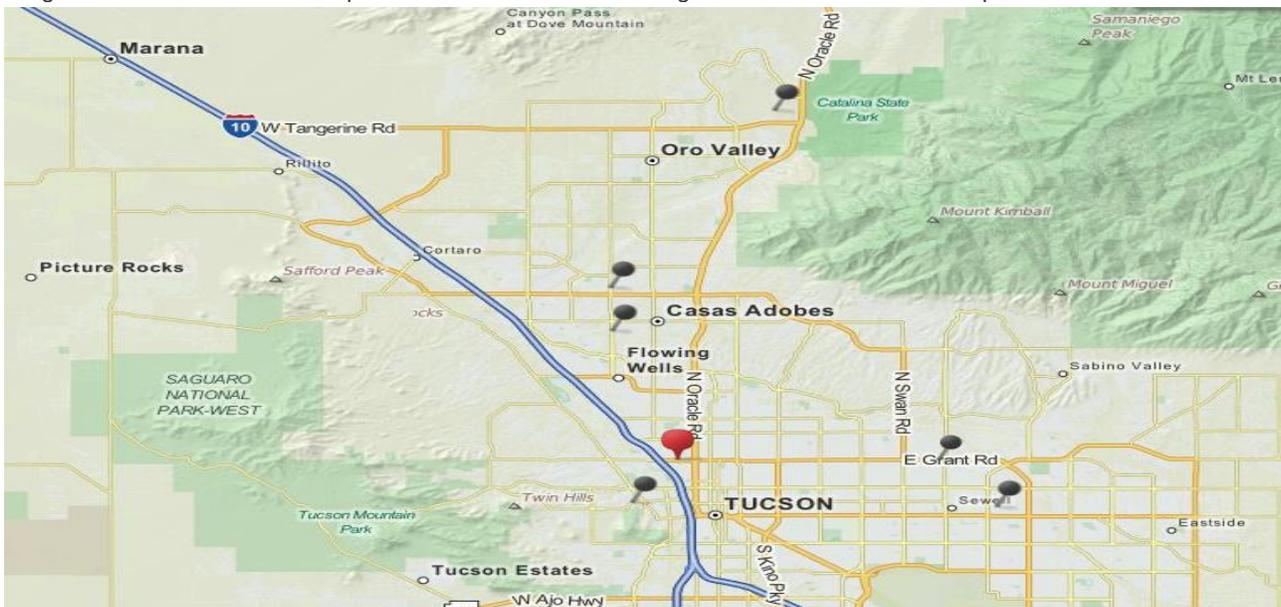
GREEN VALLEY, AZ 85614-1943

Drug Screen: M-F 8:00 am-3:30 pm

1848 E Innovation Park Dr

Oro Valley, AZ 85755-1963

Drug Screen: M-F 8:00 am-3:30 pm



# ATTACHMENT “B” (continued)

## Rural Locations

### **Sonora Quest Labs**

1150 S HIGHWAY 92 STE E  
SIERRA VISTA AZ 85635-5355  
M-F 8:00 am-12:00 pm & 1:00 pm-3:30 pm

### **Sonora Quest Labs**

2270 S RIDGEVIEW DR. STE 306  
YUMA, AZ 85364-8866  
Drug Screen: M-F 8:00 am-3:30 pm

### **LabCorp**

1280 S 20th AVE  
Safford, AZ 85546  
DRUG SCREENS 9:00am-11:30am & 1:00pm-2:00pm

### **Gila Health Resources**

401 Burro Alley  
Morenci AZ 85540  
Drug Screen: M-F 7:00 am-4:00 pm  
After hours available extra fees apply

# ATTACHMENT “C”

## Acknowledgement of Receipt of the

### Southern Arizona NECA/IBEW Local Union 570

### Drug Free Workplace Program Handbook

I have received a copy of and have carefully and thoroughly read the Southern Arizona NECA/IBEW 570 Drug Free Workplace Program Handbook, dated **January 1, 2019**, and acknowledge my understanding and acceptance of the Drug Free Workplace Program.

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Employee (Applicant) Signature

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Print Employee’s Name

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Employer

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Date